IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18096 of 2004

Between:

B.Gurappa, S/o.B.Bala Gurappa,
C/o.Deputy Executive Engineer, Kurnool Dist. Schedule Castes Service,
Co-op, society Ltd., Beside the Indoor Stadium,Kurnool

..... PETITIONER

AND

1 The Managing Director,

A.P.Scheduled caste service Cooperative Finance Corporation Ltd.,

Masab Tank, Hyderabad.
2 The Principle Secretary, Govt. of A.P., Social Welfare Dept.,
Secretariat Buildings, Hyderabad.
3 The District Collector, & Chairman,

Kurnool District schedule castes service,
Co-operative society Ltd., Kurnool Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of " Writ of Mandamus" declaring the action of the respondents in not paying the salaries from September 2003 to till date is being illegal, arbitrary, discriminatory and unconstitutional and consequently direct the respondents to pay the salaries to the petitioner from September 2003 to till date which he is entitled.

Counsel for the Petitioner:MR.C.H.SATISH KUMAR

Counsel for the Respondent No.: MR.M.V.S.SURESH KUMAR

The Court at the stage of admission made the following **ORDER** :

The petitioner is contending that she is working as a Regular Typist in the respondent-Corporation. The grievance of the petitioner is that the respondent-Corporation is not paying her salary from September, 2003 on the ground that the Society has no money and the salary will be paid as and when the money is released by the second respondent. The petitioner submits that she made representations on 06-08-2004, 25-08-2004 and 25-09-2004 to the first respondent requesting to release her salary. But no action has been taken by the first respondent. The petitioner, therefore, approached this Court seeking to declare the action of the respondents in not paying the salary from September, 2003 as illegal, arbitrary, discriminatory and unconstitutional.

The first respondent, who is the employer of the petitioner, is expected to make necessary arrangement for the payment of the salary of its employees including the petitioner having extracted the work from September, 2003. It is also the responsibility of the second respondent to release the necessary funds to the first respondent for payment of the salaries to the employees who are working under the first respondent.

Having regard to the above facts and circumstances, the respondents 1 to 3 are directed to arrange payment of the salary to the petitioner from September, 2003 till date and continue to pay the same so long as the petitioner continues to work with the first respondent within four weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of.

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Dr. G. Yethirajulu, J.

Dt:12th October, 2004.

Rns.

ASSISTANT REGISTRAR

To

1 The Managing Director,

A.P.Scheduled caste service Cooperative Finance

Corporation Ltd., Masab Tank, Hyderabad.

2 The Principle Secretary, Govt. of A.P., Social Welfare Dept.,
Secretariat Buildings, Hyderabad.

3 The District Collector, & Chairman,

Kurnool District schedule castes service,
Co-operative society Ltd., Kurnool Dist.

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